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May 22, 2017

VIA ECF

The Honorable Laura T. Swain
United States District Court
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: *United States v. Sean Stewart*, 15-cr-287 (LTS)

Dear Judge Swain:

I write regarding the July 27, 2016 *in camera* proceeding that formed the basis for this Court's denial of the defense's motion, Dkt. No. 139, to compel Robert Stewart's testimony.

As the Court is aware, the transcript of this proceeding remains under seal, but was made available to Sean Stewart's counsel pursuant to a protective order that, *inter alia*, limits the use of the transcript to "purposes connected to [Sean's] post-trial motions," and requires the transcript to "be kept in the sole possession of [Sean's] counsel." Dkt. No. 184 at 2.

So that Sean's appellate counsel may include the transcript in the required appendix to their appellate brief, in accordance with the Second Circuit's procedures for documents submitted under seal, we respectfully request that the Court modify the terms of its existing protective order so as to permit the transcript to be (i) used by Sean Stewart and his appellate counsel for purposes connected with this appeal, and (ii) distributed to the Second Circuit Court of Appeals for these same purposes.

Neither the government nor Robert Stewart opposes this request.

Very Truly Yours,

/s/ _____
Martin Cohen
Ass't Federal Defender
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